

**Local
Government
Advisory
Committee**



Hon. Bob Dixon, Chair
Greensburg, Kansas

December 18, 2013

Hon. Ralph Becker
Salt Lake City, Utah
Hon. Terry Bellamy
Asheville, North Carolina
Hon. Alvin Brown
Jacksonville, Florida
Hon. Salud Carbajal
Santa Barbara, California
Hon. Cindy Circo
Kansas City, Missouri
Hon. Robert Cope
Salmon, Idaho
Hon. Jill Duson
Portland, Maine
Hon. Bill Finch
Bridgeport, Connecticut
Hon. Jay Fiset
Arlington, Virginia
Hon. Karen Freeman-Wilson
Gary, Indiana
Dr. Hector Gonzalez
Laredo, Texas
Ms. Susan Hann
Palm Bay, Florida
Hon. Tom Hickner
Bay County, Michigan
Hon. Jennifer Hosterman
Pleasanton, California
Hon. Elizabeth Kautz
Burnsville, Minnesota
Hon. Don Larson
Brookings, South Dakota
Hon. Jeff Morris
Anacortes, Washington
Hon. Marilyn Murrell
Arcadia, Oklahoma
Hon. Adam Ortiz
Edmonston, Maryland
Hon. Steve (Mon-wah) Ortiz
Prairie Band of Potawatomi Nation
Hon. Carolyn Peterson
Ithaca, New York
Hon. Dave Richins
Mesa, Arizona
Mr. Kevin Shafer
Milwaukee, Wisconsin
Ms. Lillian Shirley
Portland, Oregon
Hon. David J. Somers
Snohomish County, Washington
Hon. Ralph Suozzi
Glen Cove, New York
Mr. Jeffrey Tiberi
Helena, Montana
Hon. Lisa A. Wong
Fitchburg, Massachusetts

Frances Eargle, DFO

The Honorable Gina McCarthy
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, DC 20460

Dear Administrator McCarthy:

The Local Government Advisory Committee (LGAC) appreciates the opportunity to work with you and the U.S. Environmental Protection Agency on a wide range of issues of interest and concern to local governments. Over the past few years, the LGAC has submitted numerous letters to previous Administrator Lisa P. Jackson on ozone and Particulate Matter (PM) standards, and we are happy to continue the conversation with you as we move forward to protect human health and our environment.

We applaud EPA's Advance Programs for Ozone and PM and the programs' focus on voluntary collaboration between the EPA, states, tribes, and local governments. In a January 2012 letter, the LGAC recommended the EPA for announcing the development of a new program modeled after 2006's *Ozone Flex*, with the aim of allowing states and local governments greater flexibility in the steps they take to meet the 2008 ozone standards. We now welcome the timely April 2012 announcement of the Ozone Advance Program, as well as the PM Advance Program launched in January 2013, and we especially appreciate that EPA took the LGAC's advice and expanded the programs to local governments as well as states. Both programs provide a means for local governments to take the initiative in maintaining the ozone and PM National Ambient Air Quality Standards, encouraging proactive approaches that provide a buffer against future violations of the standards.

We share EPA's hope that the Ozone and PM Advance Programs will achieve enough early emissions reductions that areas will not be designated as non-compliant under potential new standards. Local governments appreciate EPA's interest in taking proactive, cost-effective steps to protect our environment, rather than reacting with strict regulations and/or fines. By working with EPA on practical regional plans, local governments will be able to align their resources

most effectively to ensure the health of their residents and environment. This is especially important in light of which groups are most vulnerable to PM_{2.5} and other pollutants.

For example,

- Children are particularly susceptible to negative health consequences due to air pollution, as are the elderly.^{1,2}
- Minorities, individuals of lower education achievement, and individuals with lower income are significantly more likely to live within a mile of the polluting facility.³
- For children, minorities, women and the elderly especially in communities with large health disparities cumulative risks to exposure also play a large role in their response to contaminants and therefore maintaining appropriate and low emissions along with compliance of standards is vitally important to the well-being of these communities (they tend to have more difficulty breathing, cough more, have aggravated asthma and allergies, have chronic bronchitis and are more susceptible to infections).⁴
- Exposure to air pollution from traffic was higher for persons of low socioeconomic position.⁵
- Individuals of lower socioeconomic position had higher levels of exposure to both indoor and outdoor air pollution.⁶
- Long-term exposure to traffic pollution (and tobacco smoking) was related to chronic diseases including diabetes, hypertension, atherosclerosis, coronary artery disease, heart failure, and increased cardiovascular risk.^{7,8,9}

¹ Moya J, Bearer C, Etzel R. Children's behavior and physiology and how it affects exposure to environmental contaminants. *Pediatrics*. 2004; 113:996-1006.

² Bateson TF, Schwartz J. Who is sensitive to the effects of particulate air pollution on mortality? A case-crossover analysis of effect modifiers. *Epidemiology*. 2004; 15(2): 143-149.

³ Mohai P, Lantz PM, Morenoff J, et al. Racial and socioeconomic disparities in residential proximity to polluting industrial facilities: evidence from the Americans' Changing Lives Study. *American Journal of Public Health*. 2009; 99(Supplement 3): S649-S656.

⁴ Schwartz, Joel, PhD, David Selinger, PhD and Thomas Glass, PhD. Exploring Potential Sources of Differential Vulnerability and Susceptibility in Risk From Environmental Hazards to Expand the Scope of Risk Assessment, *American Journal of Public Health*. 2009; 99(Supplement 3): S94-S101.

⁵ Havard S, Deguen S, Zmirou-Navier D, et al. Traffic-related air pollution and socioeconomic status: a spatial autocorrelation study to assess environmental equity on a small-area scale. *Epidemiology*. 2009; 20(2): 223-230.

⁶ Baxter LK, Clougherty JE, Laden F, Levy JI. Predictors of concentrations of nitrogen dioxide, fine particulate matter, and particle constituents inside of lower socioeconomic status urban homes. *Journal of Exposure Science and Environmental Epidemiology*. 2007; 17(5): 433-444.

⁷ Nawrot TS, Staessen JA, Gardner JP, Aviv A. Telomere length and possible link to X chromosome. *Lancet*. 2004; 363 (9408): 507-510.

⁸ Fitzpatrick AL, Kronmal RA, Gardner JP, et al. Leukocyte telomere length and cardiovascular disease in the Cardiovascular Health Study. *American Journal of Epidemiology*. 2007; 165(1): 14-21.

⁹ Brouillette SW, Moore JS, McMahon AD, et al. Telomere length, risk of coronary heart disease and statin treatment in the West of Scotland Primary Prevention Study: a nested case-control study. *Lancet*. 2007; 369 (9556): 107-114.

One of the most important components of the Advance Programs is the comprehensive toolbox provided on the website (epa.gov/ozoneadvance). These resources, including guidance, funding opportunities, technical assistance, examples, and webinars, are invaluable tools for local governments. For example, the "Menu of Control Measures: listing of potential emissions reduction measures for direct PM 2.5 and precursors of ozone and PM2.5" provides an eminently practical set of options from which local governments can pick and choose those options that might work best in their area by comparing the control efficiency percentage, cost-effectiveness, and whether additional pollutants are controlled. We appreciate that EPA took the LGAC's January 2012 advice and created a toolbox of technical information to help local governments voluntarily control their emissions.

Improving air quality requires a partnership between federal, state, tribal, and local governments. Local governments appreciate the opportunity to work with states and the EPA in determining the best way to move forward and maintain compliance with air quality standards. The implementation of any rule or program is most successful when done in partnership, and the Advance Program emphasizes and expands on this partnership in a way that can be beneficial to all.

The LGAC looks forward to continued involvement and input as EPA and local governments continue taking steps to protect our human and environmental health.

Sincerely,



Mayor Bob Dixon
Chair



Supervisor Salud Carbajal
Chair, Air, Climate & Energy Workgroup

**Local
Government
Advisory
Committee**



APR 25 2014

Hon. Bob Dixon, Chairman
Greensburg, Kansas

Hon. Ralph Becker
Salt Lake City, Utah
Hon. Alvin Brown
Jacksonville, Florida
Hon. Salud Carbajal
Santa Barbara, California
Hon. Cindy Circo
St. Louis, Missouri
Hon. Robert Cope
Salmon, Idaho
Hon. Johnny DuPree
Hattiesburg, Mississippi
Hon. Jill Duson
Portland, Maine
Hon. Bill Finch
Bridgeport, Connecticut
Hon. Jay Fiset
Arlington, Virginia
Hon. Karen Freeman-Wilson
Gary, Indiana
Dr. Hector Gonzalez
Laredo, Texas
Hon. Manna Jo Greene
Cottkill, New York
Ms. Susan Hann
Palm Bay, Florida
Hon. Tom Hickner
Bay County, Michigan
Hon. Elizabeth Kautz
Burnsville, Minnesota
Hon. Don Larson
Brookings, South Dakota
Hon. Kara Miller
Smith River Rancheria, California
Hon. Jeff Morris
Anacortes, Washington
Hon. Marilyn Murrell
Arcadia, Oklahoma
Hon. Ken Miyagishima
Las Cruces, New Mexico
Hon. Adam Ortiz
Edmonston, Maryland
Hon. Carolyn Peterson
Ithaca, New York
Hon. Dave Richins
Mesa, Arizona
Mr. Kevin Shafer
Milwaukee, Wisconsin
Hon. David J. Somers
Snohomish County, Washington
Mr. Jeffrey Tiberi
Helena, Montana
Hon. Lisa A. Wong
Fitchburg, Massachusetts

Frances Eargle, DFO

The Honorable Gina McCarthy
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Ave NW
Washington, DC 20460

Dear Administrator McCarthy:

The Local Government Advisory Committee (LGAC) appreciates the opportunity to work with you and the U.S. Environmental Protection Agency on a wide variety of issues of interest and concern to local governments. As stated in our December 18, 2013 letter to you, the LGAC stands ready to assist and support EPA in its work implementing the President's Climate Action Plan.

The LGAC supports EPA's September 20, 2013 proposal under Section 111(b) of the Clean Air Act to create the first uniform national limits on the amount of carbon pollution that future power plants will be allowed to emit. A national regulatory framework is essential in achieving a reduction in greenhouse gas emissions. A rising number of health effects as a result of greenhouse gas pollution threatens the American public's health and welfare, as documented in EPA's 2009 Endangerment Finding. Power plants are the largest stationary sources of carbon pollution and contribute about one-third of all greenhouse gas pollution in the U.S.

This proposal is in line with investments in clean energy technology that are already being made in the power sector and ensures that the U.S. will continue to rely on an "all of the above" energy strategy, including natural gas, coal, and renewable energy. Along with EPA's recently revised Mercury and Air Toxics new source emission standards and new source performance standards for criteria pollutants, this proposal will allow producers to implement integrated, efficient compliance strategies that protect the health of our population.

Establishing separate standards for fossil fuel-fired electric steam generating units and natural gas-fired stationary combustion turbines is an important component of the proposal by recognizing that a one-size-fits-all solution does not work. We urge EPA to be

mindful of the importance of providing flexibility in the proposed standards to ensure that our nation will have continuous reliable, affordable, and clean power that takes advantage of modern technologies. Additionally, we urge EPA to consider a complete economic analysis that includes the costs associated with health impacts and environmental damages that would occur if no action were taken by EPA. We encourage EPA to include in the rule a crediting mechanism for energy recovery processes undertaken by local utilities.

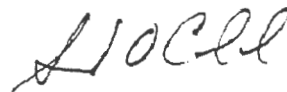
Local governments alone cannot bear the entire burden of limiting greenhouse gas emissions and protecting the health of our people. The LGAC concurs with the EPA's proposed carbon dioxide limits for new fossil fuel-fired utility boilers and integrated gasification combined cycle units, as well as single-cycle turbines for ancillary power, and the proposed limits for natural gas-fired stationary combustion turbines.

The LGAC appreciates the opportunity to provide comments, and we look forward to our partnership with the EPA as we work to decrease carbon pollution and protect the health of the American people.

Sincerely,

Handwritten signature of Robert A. Dixon in black ink.

Mayor Bob Dixon
Chair, LGAC

Handwritten signature of Salud Carbajal in black ink.

Supervisor Salud Carbajal
Chair, Air, Climate & Energy Workgroup



Hon. Bob Dixon, Chair
Greensburg, Kansas

December 18, 2013

Hon. Ralph Becker
Salt Lake City, Utah
Hon. Terry Bellamy
Asheville, North Carolina
Hon. Alvin Brown
Jacksonville, Florida
Hon. Salud Carbajal
Santa Barbara, California
Hon. Cindy Circo
Kansas City, Missouri
Hon. Robert Cope
Salmon, Idaho
Hon. Jill Duson
Portland, Maine
Hon. Bill Finch
Bridgeport, Connecticut
Hon. Jay Fisette
Arlington, Virginia
Hon. Karen Freeman-Wilson
Gary, Indiana
Dr. Hector Gonzalez
Laredo, Texas
Ms. Susan Hann
Palm Bay, Florida
Hon. Tom Hickner
Bay County, Michigan
Hon. Jennifer Hosterman
Pleasanton, California
Hon. Elizabeth Kautz
Burnsville, Minnesota
Hon. Don Larson
Brookings, South Dakota
Hon. Jeff Morris
Anacortes, Washington
Hon. Marilyn Murrell
Arcadia, Oklahoma
Hon. Adam Ortiz
Edmonston, Maryland
Hon. Steve (Moo-wah) Ortiz
Prairie Band of Potawatomi Nation
Hon. Carolyn Peterson
Ithaca, New York
Hon. Dave Richins
Mesa, Arizona
Mr. Kevin Shafer
Milwaukee, Wisconsin
Ms. Lillian Shirley
Portland, Oregon
Hon. David J. Somers
Snohomish County, Washington
Hon. Ralph Suozzi
Glen Cove, New York
Mr. Jeffrey Tiberi
Helena, Montana
Hon. Lisa A. Wong
Fitchburg, Massachusetts

Frances Eargle, DFO

The Honorable Gina McCarthy
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, DC 20460

Dear Administrator McCarthy:

The Local Government Advisory Committee (LGAC) appreciates the opportunity to work with you on your seven themes and cross-cutting issues. These represent a wide range of issues of interest and concern to local governments. We applaud your commitment to work "in concert" with state, tribal and local partners. Specifically, we would like to take this opportunity to comment on EPA's commitment to combat environmental injustice and closure of the health gap to which it contributes.

In the fight to protect human and ecological health, local governments are on the front-line and bear the burden when poor environmental quality impacts its residents. This is demonstrated in a variety of ways; some communities may be deprived of a fishable, swimmable river, and others may face elevated instances of respiratory and heart disease caused by air pollutants. In these types of situations, local governments often face significant financial and social costs of amelioration.

As representatives of our communities, the health and welfare of our citizens is paramount. Fighting to eliminate the health disparity afflicting vulnerable populations such as minorities, children, and the elderly is an important component of that responsibility especially when it relates to pollution and environmental contaminants. While local governments certainly provide more agile and flexible tools to address environmental problems than the federal government, partnership with EPA is imperative and enhances our effectiveness at the community level to protect the environment and people's health.

Thus, the LGAC presents for your consideration some of our findings and recommendations:

Reducing harmful air emissions

The LGAC appreciates EPA's efforts to reduce harmful air emissions, and is supportive of EPA's substantial efforts to monitor outdoor air and develop safety and preventive measures for indoor air quality. One example of this is EPA's Near Roadway Monitoring program for Nitrogen Dioxide (NO₂), which also monitors other air pollutants (i.e., carbon monoxide (CO) and fine particulate matter (PM_{2.5})).

Approximately 36 million people in the United States live within 300 feet of a four-lane highway.¹ Due to the concentrated levels of automobile exhaust, living, working, or going to school near a major roadway increases the risk of asthma. Proximity to those roadways contributes to many other health conditions as well, such as cancer, allergies, respiratory illness, and heart disease.²

Because property near major roads is considered less desirable, these communities tend to be poorer and have large minority populations with significant health disparities.³ Moreover, residents of these communities tend to have less access to health care and other resources. Installing air monitors will be an important step toward understanding the environment in which these vulnerable populations are living and developing plans to enhance air quality, prevent pollution and reduce health-related risk factors. Moreover, this data will be very useful in impacted communities as another piece of critical information for planning purposes in locating community/affordable housing, in siting recreation/park facilities or for future economic development/transportation sectors.

The data can support *"communities improved access to affordable housing and transportation while protecting the environment"* as stated in the HUD/DOT/EPA Partnership for Sustainable Communities Smart Growth program. One example of this is the City of Denver, Colorado installation of air monitors to gain important information on vulnerable populations and developing plans to enhance air quality, prevent pollution and reduce health-related risk factors.⁴

The LGAC especially commends EPA's emphasis on the partnership between federal, state, and local governments, as demonstrated by the pilot study for the monitoring program. Regional Administrators are more familiar with the unique local specifics of a given area than officials in Washington, D.C. and thus are better situated to work closely with state and local governments as they develop NO₂ monitoring plans. The LGAC also supports EPA's requirement for states to include CO and PM_{2.5} monitors at these near-roadway sites in certain cities.

¹ US Census Bureau. American Housing Survey for the United States: 2005.

² Kim JJ, Huen K, Adams S, et al. 2008. Residential Traffic and Children's Respiratory Health. Environ Health

Perspect. 2008

³ American Lung Association. <http://www.stateoftheair.org/2013/health-risks/health-risks-disparities.html>

⁴ See <http://www.colorado.gov/airquality/report.aspx>

The Committee appreciates the Agency's March 7, 2013, revision to the timeline for near-road monitors for NO₂ to be operational. By staggering the deadlines based on population, regions are able to work together to address those areas most in need first in these hard economic times, this fiscal consideration is essential for local governments to meet the rule's requirements.

Recommendation: The LGAC recommends delegating the authority to approve states' annual NO₂ monitoring network plans to EPA Regional Administrators. This will help to foster greater cooperation with state and local governments and a culture of regionalism.

Recommendation: The LGAC recommends that EPA provide educational information to raise the awareness of the easily-accessible tools to reduce exposure to harmful air emissions. EPA should empower communities with tools for citizens to help protect their own health. The LGAC believes that EPA could put together a "menu" of easy, achievable ways to decrease one's exposure to NO₂ and other harmful pollutants near roadways. Furthermore, EPA should provide this information with particular attention paid to Title VI Limited English Proficiency issues in mind.

Cumulative Risk and Health Disparities

In assessing health impacts by pollution EPA should consider cumulative risks for environmental risks in EJ communities because of disparities in health, healthcare access, social and economic determinants⁵. In these vulnerable populations, pollution and environmental impacts affect health through multiple and cumulative stressors such as access to care, being insured, living conditions, nutrition and socio-economic determinants. These cumulative risks compound the effects of environmental contaminants and pollution⁶.

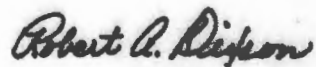
Recommendation: EPA should consider multiple stressors in addition to the contaminant's effects when evaluating risks for vulnerable populations.

In summary, the Committee believes that your seven themes for EPA provide an excellent framework for cooperation between the federal government and local governments. By partnering with states, local governments and communities, EPA can help ensure a safe and healthy environment for years to come. We are committed to assisting you and the agency, through our advisory role, to make real achievements in addressing environmental problems in all communities.

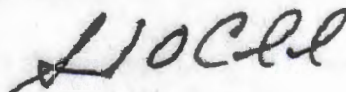
⁵ Schwartz, Joel, PhD, David Bellinger, PhD and Thomas Glass, PhD, Expanding the Scope of Risk Assessment: Methods of Studying Differential Vulnerability and Susceptibility. American Journal of Public Health, Supplement 1. 2011, Vol. 101, No. 51, 5102-5109.

⁶ Schwartz, Joel, PhD, David Bellinger, PhD and Thomas Glass, PhD. Exploring Potential Sources of Differential Vulnerability and Susceptibility in Risk From Environmental Hazards to Expand the Scope of Risk Assessment. American Journal of Public Health, Supplement 1. 2011, Vol. 101, No. 51., 591-5101.

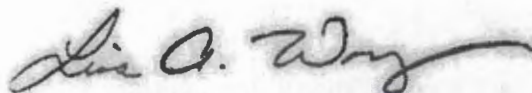
Sincerely,



Mayor Bob Dixon
Chair



Supervisor Salud Carbajal
Chair, Air, Climate & Energy Workgroup



Mayor, Lisa Wong
Chairwoman, Expanding
the Conversation(EJ) Workgroup



July 31, 2012

Hon. Heather McTeer- Hudson, Chairwoman

Greenville, Mississippi

Hon. Terry Bellamy

Asheville, North Carolina

Hon. Evelyn Delorme Camacho

Vieques, Puerto Rico

Hon. Salud Carbajal

Santa Barbara, California

Hon. Teresa Coons

Grand Junction, Colorado

Hon. Robert Cope

Salmon, Idaho

Hon. Ronald K. Davis

Prichard, Alabama

Hon. Bob Dixon

Greensburg, Kansas

Hon. Jill Dusen

Portland, Maine

Hon. Edward Emmett

Harris County, Texas

Dr. Hector Gonzalez

Laredo, Texas

Hon. Phil Gordon

Phoenix, Arizona

Ms. Susan Hann

Palm Bay, Florida

Hon. Tom Hickner

Bay County, Michigan

Hon. Jennifer Hosterman

Pleasanton, California

Hon. Elizabeth Kautz

Burnsville, Minnesota

Mr. Aaron Miles

Nez Perce, Idaho

Hon. Marilyn Murrell

Arcadia, Oklahoma

Hon. Adam Ortiz

Edmonston, Maryland

Hon. Steve (Mon-wah) Ortiz

Prairie Band of Potawatomi Nation

Hon. Carolyn Peterson

Ithaca, New York

Hon. Dana Redd

Camden, New Jersey

Hon. Randy Roach

Lake Charles, Louisiana

Hon. Chris Ross

Unionville, Pennsylvania

Hon. David J. Somers

Snohomish County, Washington

Mr. Jeffrey Tiberi

Helena, Montana

Hon. Mary Margaret Whipple

Arlington, Virginia

Hon. Lisa A. Wong

Fitchburg, Massachusetts

Frances Eargle, DFO

The Honorable Lisa P. Jackson
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, DC 20460

Dear Administrator Jackson:

The Local Government Advisory Committee (LGAC) appreciates the opportunity to work with you and the US EPA on a wide range of issues of interest and concern to local governments. More specifically, the Committee is particularly grateful to have the opportunity to comment on the proposed amendments to the National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines (RICE NESHAP), released by EPA on May 22, 2012. The LGAC has reviewed and considered the proposed changes. Pursuant to the Committee's charter, we offer the following comments regarding emissions standards for RICE at major and area sources of hazardous air pollutants (HAP) emissions.

Total Hydrocarbon Compliance Demonstration Option

The LGAC commends EPA's inclusion of alternative testing options for owners and operators of certain stationary 4-stroke rich burn (4SRB) spark ignition (SI) engines to demonstrate compliance with NESHAP. As you are aware, initial and continuous performance testing for formaldehyde in order to meet compliance standards is difficult and costly to measure. The option to test for total hydrocarbon compliance (THC) in place of formaldehyde compliance is easier and less costly; this option will substantially reduce the burden of the compliance rule for owners and operators of these engines, both in time and cost.

Emergency Demand Response/Peak Shaving

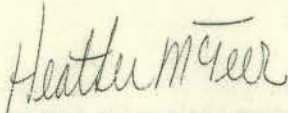
The LGAC also appreciates EPA's proposal to increase the number of hours, from 15 hours per year to 100 hours per year, that owners and operations of RICE can operate their engines as part of an emergency demand response and for voltage support. This allows localities to meet independent system operator (ISO) and regional transmission organization (RTO) tariffs and other requirements for participating in various emergency demand response programs, as well as providing ample time for monitoring and testing these engines. This action will assist in stabilizing the grid, preventing electrical blackouts and supporting local electric system reliability.

Additionally, the allowance of 50 hours per year for peak shaving until 2017 will give sources an additional resource for maintaining reliability while facilities are coming into compliance with the NESHAP from Coal and Oil-Fired Electric Utility Steam Generating Units. As a result, our communities will be able to prevent electricity blackouts or reliability problems that were raised in response to the Coal and Oil-Fired Electric Utility NESHAP. This allowance is especially important in rural areas that may rely on small electric cooperatives that have agreements with owners of small emergency engines to maintain voltage and electric reliability; the ability to use these hours as part of a financial agreement is critical.

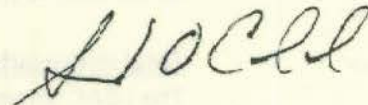
Non-Emergency Stationary SI RICE Greater than 500 HP Located at Area Sources

The LGAC supports EPA's proposal to create a subcategory of existing stationary SI 4SLB and 4SRB located in rural areas. Engines located in remote areas that are not close to significant human activity may be difficult to access and unmanned most of the time. Because of this remoteness, the costs for testing and continuous monitoring requirements may be burdensome, and the HAP emissions reductions that would be achieved may not justify the high cost, considering the engines are located in sparsely populated areas. The LGAC finds EPA's definition of the subcategory – the existing Department of Transportation (DOT) classification system, in which engines located in an area with fewer than 10 buildings intended for human occupancy within a 220 yard radius are considered remote – to be reasonable and well-established. The overlap of this approach for engines with DOT's pipeline classification system creates a harmonization that reduces the implementation and enforcement burdens for states.

Sincerely,



Mayor Heather McTeer
Chair, LGAC



Supervisor Salud Carbajal
Chair, Air, Climate & Energy Workgroup



July 31, 2012

Hon. Heather McTeer- Hudson, Chairwoman

Greenville, Mississippi

Hon. Terry Bellamy

Asheville, North Carolina

Hon. Evelyn DeLorme Camacho

Vieques, Puerto Rico

Hon. Salud Carbajal

Santa Barbara, California

Hon. Teresa Coons

Grand Junction, Colorado

Hon. Robert Cope

Salmon, Idaho

Hon. Ronald K. Davis

Prichard, Alabama

Hon. Bob Dixon

Greensburg, Kansas

Hon. Jill Dusen

Portland, Maine

Hon. Edward Emmett

Harris County, Texas

Dr. Hector Gonzalez

Laredo, Texas

Hon. Phil Gordon

Phoenix, Arizona

Ms. Susan Hann

Palm Bay, Florida

Hon. Tom Hickner

Bay County, Michigan

Hon. Jennifer Hosterman

Pleasanton, California

Hon. Elizabeth Kautz

Burnsville, Minnesota

Mr. Aaron Miles

Nez Perce, Idaho

Hon. Marilyn Murrell

Arcadia, Oklahoma

Hon. Adam Ortiz

Edmonston, Maryland

Hon. Steve (Mon-wah) Ortiz

Prairie Band of Potawatomi Nation

Hon. Carolyn Peterson

Ithaca, New York

Hon. Dana Redd

Camden, New Jersey

Hon. Randy Roach

Lake Charles, Louisiana

Hon. Chris Ross

Unionville, Pennsylvania

Hon. David J. Somers

Snohomish County, Washington

Mr. Jeffrey Tiberi

Helena, Montana

Hon. Mary Margaret Whipple

Arlington, Virginia

Hon. Lisa A. Wong

Fitchburg, Massachusetts

Frances Eargle, DFO

The Honorable Lisa P. Jackson

Administrator

U.S. Environmental Protection Agency

1200 Pennsylvania Avenue NW

Washington, DC 20460

Dear Administrator Jackson:

The Local Government Advisory Committee (LGAC) appreciates having the opportunity to work with you and the US EPA on a wide range of issues of interest and concern to local governments. More specifically, the Committee is particularly grateful to have the opportunity to comment again on the *Draft Guidance to Implement Requirements for the Treatment of Air Quality Monitoring Data Influenced by Exceptional Events* (the Exceptional Events Rule (EER)). The LGAC provided a comment letter to you dated July 14, 2011 in response to previous versions of these draft guidance documents released by EPA for comment in May 2011. The Committee greatly appreciates the opportunity to see how EPA meaningfully incorporates some of the comments received by the Committee, as well as many state, local, and tribal agencies, into revised documents that reflect and address our concerns.

In the July 2011 letter, the LGAC focused on the need for: 1) Clear guidance on determining what qualifies as an exceptional event and detailed requirements for a successful exceptional events package; 2) Reducing the regulatory burden on local governments, both in terms of time and of cost; and 3) Providing separate guidance documents for exceptional events related to wildfires, prescribed burning, and agricultural burning. The LGAC recognizes and appreciates that many of these concerns are addressed in the updated draft guidance.

The LGAC supports EPA's goal to establish clear expectations to enable affected agencies to better manage resources as they prepare the documents required under the EER. Providing examples of demonstrations from air agencies that have been approved by EPA is vital and will greatly help local agencies prepare successful demonstration packages efficiently. The LGAC appreciates that EPA addressed its concerns about the lack of clear guidance for submitting an exceptional events package. The online examples, outlines, frameworks, and the presentation "Presenting Evidence to Justify Data Exclusion as an Exceptional Event: Ideas based on how the EPA has recently documented events to support regulatory decisions" will prove to be an immense aid to local agencies and

governments as they prepare their own event packages, and the LGAC hopes that some of these successful packages could be transferable and serve as a model for future events.

The LGAC previously commented that EPA's proposed deadline of 18 months for a decision on a submitted package is rather long; instead, the Committee recommended, and continues to support, a timeline of six months to one year. While EPA's current draft guidance keeps the 18 month deadline, the LGAC does appreciate that EPA will generally prioritize exceptional event determinations that affect near-term regulatory decision. Local agencies and governments often face timelines by which they must make regulatory decisions that can be affected by the inclusion or exclusion of event-affected data.

The LGAC appreciates EPA's recognition of the limited resources of the local agencies that prepare and submit exceptional event demonstration packages. The preparation and submittal of a package is a resource intensive process, and delays in processing and making decisions on submitted packages create regulatory uncertainty and potentially increase the workload for both the submitting agency and EPA. By providing examples of approved packages online, EPA will help local agencies reduce delays by making sure the package is complete and includes all necessary documents and data. The detailed draft guidelines for identification, preparation, submittal, and review process for events is similarly valuable and helpful for local agencies. The LGAC anticipates that as EPA continues to review packages, additional streamlining opportunities will become apparent, and the resources required to prepare and review these packages will continue to decrease.

Additionally, the Committee appreciates EPA's proposed optional "High Wind Action Plan" and guidance document, which will help states, tribes, and local governments and agencies streamline the development of high wind demonstrations by sharing information on in-place and needed controls and mitigation processes.

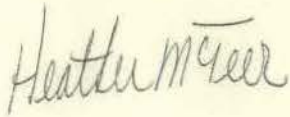
As stated in the May 2011 letter, the Committee anticipates separate guidance documents addressing the preparation of demonstrations to support wildfire-related event claims, prescribed burning, and agricultural burning events. It would seem reasonable and necessary to address prescribed burning as a tool to improve air quality, or at least to lessen the harmful effects of wildfires on air quality. The failure to allow for an exception for these types of activities could, in the long run, be detrimental to long-term air quality in western and rural communities.

Finally, the LGAC is still unsure as to how this EER guidance will be impacted by current and upcoming EPA rules and regulations, such as the PM 2.5 revisions and review of the ozone standard. Lowering these standards could make exceptional events demonstrations more important for local governments to use in order to keep an area in attainment status. The Committee anticipates additional guidance from EPA regarding this aspect.

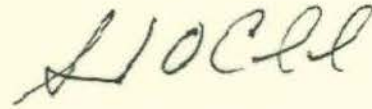
The Committee appreciates the reforms the Agency is considering to streamline the Exceptional Events process and is grateful that EPA has addressed many of its concerns in the recent draft guidance for implementation of the EER. However, there are still outstanding issues for local governments that need attention, as outlined above, and the Committee believes there are likely more opportunities for EPA to

simplify and streamline the process. As EPA continues to look at issues such as agricultural burning and prescribed burning, the Committee looks forward to providing comment on those separate guidance documents as they are proposed.

Sincerely,

A handwritten signature in cursive script, reading "Heather McTeer".

Mayor Heather McTeer
Chair, LGAC

A handwritten signature in cursive script, reading "Salud Carbajal".

Supervisor Salud Carbajal
Chair, Air, Climate & Energy Workgroup



July 31, 2012

Hon. Heather McTeer- Hudson, Chairwoman
Greenville, Mississippi

Hon. Terry Bellamy
Asheville, North Carolina

Hon. Evelyn Delorme Camacho
Vieques, Puerto Rico

Hon. Salud Carbajal
Santa Barbara, California

Hon. Teresa Coons
Grand Junction, Colorado

Hon. Robert Cope
Salmon, Idaho

Hon. Ronald K. Davis
Prichard, Alabama

Hon. Bob Dixon
Greensburg, Kansas

Hon. Jill Dusen
Portland, Maine

Hon. Edward Emmett
Harris County, Texas

Dr. Hector Gonzalez
Laredo, Texas

Hon. Phil Gordon
Phoenix, Arizona

Ms. Susan Hann
Palm Bay, Florida

Hon. Tom Hickner
Bay County, Michigan

Hon. Jennifer Hosterman
Pleasanton, California

Hon. Elizabeth Kautz
Burnsville, Minnesota

Mr. Aaron Miles
Nez Perce, Idaho

Hon. Marilyn Murrell
Arcadia, Oklahoma

Hon. Adam Ortiz
Edmonston, Maryland

Hon. Steve (Mon-wah) Ortiz
Prairie Band of Potawatomi Nation

Hon. Carolyn Peterson
Ithaca, New York

Hon. Dana Redd
Camden, New Jersey

Hon. Randy Roach
Lake Charles, Louisiana

Hon. Chris Ross
Unionville, Pennsylvania

Hon. David J. Somers
Snohomish County, Washington

Mr. Jeffrey Tiberi
Helena, Montana

Hon. Mary Margaret Whipple
Arlington, Virginia

Hon. Lisa A. Wong
Fitchburg, Massachusetts

Frances Eargle, DFO

The Honorable Lisa P. Jackson
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, D.C. 20460

Dear Administrator Jackson:

The Local Government Advisory Committee (LGAC) appreciates the opportunity to work with you and the US EPA on a wide range of issues of interest and concern to local governments. More specifically, the Committee is particularly grateful to have the opportunity to comment on the Heavy-Duty Highway Program: Revisions for Emergency Vehicles (aka the Fire Truck Rule) and the proposed Heavy-Duty Highway Program: Revisions for Emergency Vehicles and SCR Maintenance, signed by you on May 23, 2012. The LGAC has reviewed and considered the proposed changes. Pursuant to the Committee's charter, we offer the following comments regarding emergency vehicles and SCR maintenance as part of the Heavy-Duty Highway Program.

The LGAC acknowledges and appreciates EPA's attempt to expedite the revisions related to emergency vehicles through a direct final rule. By taking additional steps so that emergency vehicle manufacturers and engine manufacturers have the option to further reduce the severity or eliminate altogether any performance related maintenance inducements that are or could be implemented on emergency vehicles, EPA will help our communities' emergency vehicles respond quickly and safely to emergencies, thus better ensuring public safety and welfare and the protection of lives and property. This flexibility for emergency vehicles is necessary due to their extreme duty cycles and their importance to ensuring the health and safety of our communities. Additionally, the LGAC appreciates that this rule is *entirely* voluntary for both new and in-use engines; requiring local governments to install retrofit technologies on existing vehicles would be a huge burden in these times of limited economic resources. The LGAC appreciates EPA's encouragement and flexibility for manufacturers to develop a range of solutions, including solutions that are low- or even no-cost.

The rule defines an *emergency vehicle* as "an ambulance or a fire truck." The rule states that "EPA's intent is to include vehicles that are purpose-built and exclusively dedicated to firefighting, emergency/rescue medical transport, and/or performing other rescue or emergency personnel or equipment

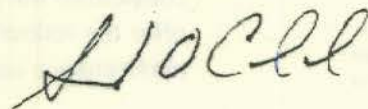
transport functions related to saving lives and reducing injuries coincident with fires and other hazardous situations." While the intent sounds fairly broad, the definition of an emergency vehicle as either an ambulance or fire truck *only* is limited. Local governments and communities rely on many other types of emergency vehicles with diesel engines. For example, the City of Ithaca, New York employs a SWAT truck for emergency situations as a mobile command unit, coordinating police, fire personnel, and emergency medical technicians on the scene; the truck also carries vital equipment for handling emergencies. Under the rule's definition, the SWAT truck is not an emergency vehicle. Due to the importance of trucks like these in protecting our communities, the LGAC recommends that the definition of *emergency equipment* be expanded to include vehicles dedicated to law enforcement operations and civilian rescue. However, the LGAC supports the DFR as published and appreciates EPA's attempts at expediency.

EPA's proposed action regarding nonroad equipment to allow short-term relief from emissions standards *only* when such equipment is needed to respond to an emergency such as a flood or hurricane – *i.e., when human health and safety is at risk* – so that any pre-set emissions for engine protection measures do not prevent the equipment from performing *life-saving work*, is important in helping localities respond to emergencies quickly and effectively. It is an important distinction that this short-term relief from emissions standards is *only* applicable during emergency response; this ensures the air quality of our localities is not significantly decreased by requiring these nonroad engines to meet emissions standards during normal service.

Sincerely,



Mayor Heather McTeer
Chair, LGAC



Supervisor Salud Carbajal
Chair, Air, Climate & Energy Workgroup

**Local
Government
Advisory
Committee**



Hon. Bob Dixson, Chair
Greensburg, Kansas

December 18, 2013

Hon. Ralph Becker
Salt Lake City, Utah
Hon. Terry Bellamy
Asheville, North Carolina
Hon. Alvin Brown
Jacksonville, Florida
Hon. Salud Carbajal
Santa Barbara, California
Hon. Cindy Circo
Kansas City, Missouri
Hon. Robert Cope
Salmon, Idaho
Hon. Jill Dusen
Portland, Maine
Hon. Bill Finch
Bridgeport, Connecticut
Hon. Jay Fiset
Arlington, Virginia
Hon. Karen Freeman-Wilson
Gary, Indiana
Dr. Hector Gonzalez
Laredo, Texas
Ms. Susan Hann
Palm Bay, Florida
Hon. Tom Hickner
Bay County, Michigan
Hon. Jennifer Hosterman
Pleasanton, California
Hon. Elizabeth Kautz
Burnsville, Minnesota
Hon. Don Larson
Brookings, South Dakota
Hon. Jeff Morris
Anacortes, Washington
Hon. Marilyn Murrell
Arcadia, Oklahoma
Hon. Adam Ortiz
Edmonston, Maryland
Hon. Steve (Mon-wah) Ortiz
Prairie Band of Potawatomi Nation
Hon. Carolyn Peterson
Ithaca, New York
Hon. Dave Richins
Mesa, Arizona
Mr. Kevin Shafer
Milwaukee, Wisconsin
Ms. Lillian Shirley
Portland, Oregon
Hon. David J. Somers
Snohomish County, Washington
Hon. Ralph Suozzi
Glen Cove, New York
Mr. Jeffrey Tiberi
Helena, Montana
Hon. Lisa A. Wong
Fitchburg, Massachusetts

Frances Eargle, DFO

The Honorable Gina McCarthy
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, DC 20460

Dear Administrator McCarthy:

The Local Government Advisory Committee appreciates the opportunity to work with you and the U.S. Environmental Protection Agency on a wide variety of issues of interest and concern to local governments. In light of the significant role, the EPA has been assigned through the President's Climate Action Plan of June 25, 2013, the LGAC stands ready to assist and support EPA in its work implementing the plan.

As local government leaders, we share your commitment to reducing pollution and building our adaptive capacity for responding to climate change. As you are aware, many communities have been leaders in successfully inhibiting the local impacts of climate change. The Climate Action Plan and the EPA's role there in reaffirms the Administration's support for action through partnerships among all levels of government.

One of the most notable and welcome components of the plan is the creation of a State, Local, and Tribal Leaders Task Force on Climate Preparedness and Resilience. We are indeed honored that three LGAC members have been appointed to the Task Force: **Mayor Ralph Becker, Salt Lake City, Utah; Supervisor Salud Carbajal, Santa Barbara County, California; and Mayor Bob Dixson, Greensburg, Kansas.** We applaud the Administration's decision to include local and tribal leaders on the Task Force to better support local preparedness and resilience-building efforts.

By promoting growth in America's clean energy industries, we can help revive our local economies by creating new, green jobs and lowering energy costs for consumers. These efforts will assist small communities and those with large health and socioeconomic disparities to improve their infrastructure systems to address the impact of climate change.

The EPA's role in the Climate Action Plan is important, and we are eager to work with you as the agency moves forward with its directives, including the development of new carbon pollution standards for both new and existing power plants. We hope that the EPA builds upon the leadership of state and local governments as the agency develops new standards and considers innovative technologies and energy sources. As the LGAC, we encourage the EPA to strongly consider alternative solutions that are developed in collaboration with local and tribal leaders. Locally-based solutions in partnership with EPA can be most effective in optimizing results.

The Climate Action Plan represents a vital step forward in protecting our environment from the impacts of climate change. Just as important as protecting our environment is protecting the public health of our nation and our children (one of our most vulnerable populations). With a rising number of health disparities among susceptible populations and the cumulative risks that these groups may face by the effects of climate change, we must take action to protect our nation and its most vulnerable. The EPA's public health mission should remain front and center.

In preparing our communities for the consequences of climate change, we still have a long way to go. This plan is a first step in finding solutions to the myriad problems associated with a changing climate, such as increased ocean acidification and more unpredictable weather events.

Protecting our nation against climate change requires a partnership between federal, state, tribal and local governments. As local governments, we are often at the frontlines of environmental protection. We have the local expertise and on-the-ground knowledge of what works in our communities. We look forward to working with you in finding innovative ways to reduce carbon pollution and adapt to climate change.

Sincerely,



Mayor Bob Dixon
Chair



Supervisor Salud Carbajal
Chair, Air, Climate & Energy Workgroup

**Local
Government
Advisory
Committee**



APR 25 2014

Hon. Bob Dixon, Chairman
Greensburg, Kansas

Hon. Ralph Becker
Salt Lake City, Utah

Hon. Alvin Brown
Jacksonville, Florida

Hon. Salud Carbajal
Santa Barbara, California

Hon. Cindy Circo
St. Louis, Missouri

Hon. Robert Cope
Salmon, Idaho

Hon. Johnny DuPree
Hattiesburg, Mississippi

Hon. Jill Dusen
Portland, Maine

Hon. Bill Finch
Bridgeport, Connecticut

Hon. Jay Fisette
Arlington, Virginia

Hon. Karen Freeman-Wilson
Gary, Indiana

Dr. Hector Gonzalez
Laredo, Texas

Hon. Manna Jo Greene
Cottkill, New York

Ms. Susan Hann
Palm Bay, Florida

Hon. Tom Hickner
Bay County, Michigan

Hon. Elizabeth Kautz
Burnsville, Minnesota

Hon. Don Larson
Brookings, South Dakota

Hon. Kara Miller
Smith River Rancheria, California

Hon. Jeff Morris
Anacortes, Washington

Hon. Marilyn Murrell
Arcadia, Oklahoma

Hon. Ken Miyagishima
Las Cruces, New Mexico

Hon. Adam Ortiz
Edmonston, Maryland

Hon. Carolyn Peterson
Ithaca, New York

Hon. Dave Richins
Mesa, Arizona

Mr. Kevin Shafer
Milwaukee, Wisconsin

Hon. David J. Somers
Snohomish County, Washington

Mr. Jeffrey Tiberi
Helena, Montana

Hon. Lisa A. Wong
Fitchburg, Massachusetts

Frances Eargle, DFO

The Honorable Gina McCarthy
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, DC 20460

Dear Administrator McCarthy:

The Local Government Advisory Committee (LGAC) appreciates the opportunity to work with you and the US EPA on a wide range of issues of interest and concern to local governments. More specifically, the Committee is grateful to have the opportunity to comment on the January 3, 2014 proposed updates to the New Source Performance Standards (NSPS) for Residential Wood Heaters.

According to EPA estimates, residential wood combustion emits 390,000 tons per years of PM2.5 and accounts for nearly 25% of all area source air toxic cancer risks and 14% of non-cancer respiratory effects (National Air Toxics Assessment, 2005). Emissions of fine particles and other pollutants can cause health problems, especially for children and older adults. In addition, home firewood consumption has been rising over the last decade.

Strengthening emissions requirements for new wood stoves is an imperative step forward in protecting public health, especially for children and older adults, who are at greater risk from the fine particle pollution wood smoke contains. The rule's anticipated effect of cutting particle pollution from new stoves and heaters by 80% is vital for our nation and reflects the myriad improvements in technology that have occurred since EPA issued the original NSPS for residential wood heaters in 1988.

While the proposal only covers new wood heaters, the Committee believes it is important for EPA to promote voluntary programs for existing wood heaters. Making these programs more visible through outreach and roundtables with states, industry, local governments, local fire departments, environmental groups, and other stakeholders can help those localities explore local solutions and share information, including innovative funding strategies for replacements or retrofits of wood heaters and enacting regulations such as no-burn days and requirements that old woodstoves be

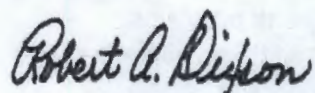
removed when a house is sold, as required in the State of Oregon. EPA's Burn Wise program, and especially its *Strategies for Reducing Residential Wood Smoke* guide, is a valuable tool for states, tribes, local governments, and communities, but many communities may not be aware that such a guide is available. Model examples of state and local ordinances and best practices help communities learn from one another to cut particle pollution and better protect their residents. These local programs are a great, effective complement to EPA's regulations and could benefit from wider implementation.

Additionally, while the proposal does not cover indoor or outdoor fireplaces, the Committee encourages EPA to create a voluntary certification program for new fireplaces. Utilizing an "EPA certified" label on fireplaces, as used on wood stoves, will help consumers make educated purchases that are better for their health and their wallets. EPA's current voluntary partnership program to encourage manufacturers to redesign fireplaces to be lower-emitting provides a good base for expansion.

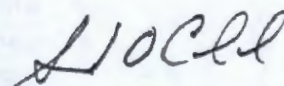
Finally, the Committee supports phasing in the new limits for hydronic heaters and forced-air furnaces in two steps over a five-year period, rather than three steps over eight years, to maximize health benefits and protect our communities sooner.

By strengthening EPA's partnerships with local communities through voluntary programs and extensive outreach, we can get the most out of these proposed revisions to the NSPS for residential wood heaters and best protect the health of our people. The LGAC appreciates the opportunity to provide comments, and we look forward to our partnership with the EPA as we work to decrease emissions of fine particle pollution and air toxics from wood smoke.

Sincerely,



Mayor Bob Dixon
Chair, LGAC



Supervisor Salud Carbajal
Chair, Air, Climate & Energy Workgroup



THE ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

Mr. Salud Carbajal
Supervisor
County of Santa Barbara
Chair, Air, Climate & Energy Workgroup
Local Government Advisory Committee
105 Anapamu Street
Santa Barbara, California 93101

Dear Mr. Carbajal:

Thank you for your letter on behalf of the Local Government Advisory Committee (LGAC) to the U.S. Environmental Protection Agency commenting on the EPA's proposed updates to the New Source Performance Standards (NSPS) for Residential Wood Heaters. I appreciate your efforts to partner with us as we work to decrease emissions of wood smoke as well as your leadership of the LGAC's Air, Climate and Energy Workgroup.

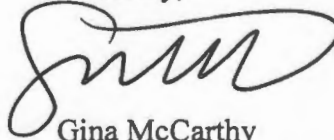
Our proposed updates to the NSPS for new residential wood heaters are intended to address significant air pollution in many parts of the nation, by substantially reducing fine particle pollution from wood smoke. As you note, this human health issue is a major concern of numerous states, tribes, and local jurisdictions.

Residential wood smoke can increase fine particulate matter emissions to levels that cause significant health concerns. Each year, smoke from wood heaters accounts for hundreds of thousands of tons of fine particles throughout the country, mostly during the winter months. For many counties, residential wood smoke is the chief contributor to fine particle pollution and the primary reason air quality exceeds the EPA's health-based national ambient air quality standards for fine particles. Establishing updated, cleaner standards for new stoves would result in substantial reductions in exposure and meaningful improvements in public health.

The EPA believes that a significant number of current models meet the proposed standards. Performance has improved considerably since we last set performance standards for new residential wood heaters, and the proposed standards would bring all newly manufactured stoves up to the performance levels that the best systems are already achieving. We expect greater, not less, consumer choice as manufacturers compete in the marketplace to offer the best products. The health benefits of these proposed regulations are expected to be much greater than the cost to manufacture and use cleaner, lower-emitting appliances.

Again, thank you for your letter. The comment period on the proposal closed recently. We are currently reviewing the extensive comments we received, including yours. If you have further questions or concerns, please contact me or your staff may contact Frances Eargle (DFO), Office of Congressional and Intergovernmental Relations at (202) 564-3115 or eargle.frances@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'Gina McCarthy', with a large, stylized initial 'G'.

Gina McCarthy



JUL 31 2012

Hon. Heather McTeer- Hudson, Chairwoman

Greenville, Mississippi

Hon. Terry Bellamy

Asheville, North Carolina

Hon. Evelyn Delorme Camacho

Vieques, Puerto Rico

Hon. Salud Carbajal

Santa Barbara, California

Hon. Teresa Coons

Grand Junction, Colorado

Hon. Robert Cope

Salmon, Idaho

Hon. Ronald K. Davis

Prichard, Alabama

Hon. Bob Dixon

Greensburg, Kansas

Hon. Jill Duson

Portland, Maine

Hon. Edward Emmett

Harris County, Texas

Dr. Hector Gonzalez

Laredo, Texas

Hon. Phil Gordon

Phoenix, Arizona

Ms. Susan Hann

Palm Bay, Florida

Hon. Tom Hickner

Bay County, Michigan

Hon. Jennifer Hosterman

Pleasanton, California

Hon. Elizabeth Kautz

Burnsville, Minnesota

Mr. Aaron Miles

Nez Perce, Idaho

Hon. Marilyn Murrell

Arcadia, Oklahoma

Hon. Adam Ortiz

Edmonston, Maryland

Hon. Steve (Mon-wah) Ortiz

Prairie Band of Potawatomi Nation

Hon. Carolyn Peterson

Ithaca, New York

Hon. Dana Redd

Camden, New Jersey

Hon. Randy Roach

Lake Charles, Louisiana

Hon. Chris Ross

Unionville, Pennsylvania

Hon. David J. Somers

Snohomish County, Washington

Mr. Jeffrey Tiberi

Helena, Montana

Hon. Mary Margaret Whipple

Arlington, Virginia

Hon. Lisa A. Wong

Fitchburg, Massachusetts

Frances Eargle, DFO

The Honorable Lisa P. Jackson
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, DC 20460

Dear Administrator Jackson:

The Local Government Advisory Committee (LGAC) appreciates the opportunity to work with you and the US EPA on a wide range of issues of interest and concern to local governments. More specifically, the Committee is grateful to have the opportunity to comment on the Proposed National Ambient Air Quality Standards (NAAQS) for Particulate Matter (PM). The LGAC has reviewed and considered the proposed changes. Pursuant to the Committee's charter, we offer the following comments regarding the primary and secondary NAAQS for PM.

The LGAC recognizes the importance of regulating PM standards in order to provide increased protection against health effects associated with long- and short-term exposures. The LGAC supports strengthening the air quality standard for fine particles (PM_{2.5}) by lowering the primary annual standard from 15 micrograms per cubic meter to a range of 12 – 13 micrograms per cubic meter. This tightening will protect public health and help prevent a variety of significant health problems. Retaining the existing 24-hour standard of PM_{2.5} is reasonable.

The LGAC appreciates EPA's proposal to maintain the standard for coarse particles (PM₁₀) at the current level. Strengthening the PM₁₀ standard would likely have particularly large effects, economic and otherwise, on rural and agricultural areas and counties.

Secondary standards for PM are vital; particle pollution harms public welfare, causing haze in cities and our nation's most treasured national parks, contributing to acid rain formation, and contributing to cloud formation and influencing rainfall patterns. EPA's proposed 24-hour secondary standard for PM_{2.5} will help protect visibility in urban areas and reduce regional haze.

The LGAC appreciates that the proposed revisions to PM_{2.5} monitoring standards are relatively low-cost and do not propose increasing the size of the PM_{2.5} monitoring network. Each urban area that does not already have near-

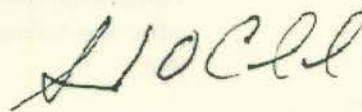
roadway PM2.5 monitoring in place would be able to relocate their existing monitors, rather than having to acquire and install new PM2.5 monitors. This is a cost-effective approach to monitoring PM2.5 near heavily traveled roads in urban areas, where pollution can be higher as a result of automobile emissions. Additionally, by providing a grandfather provision for pending Prevention of Significant Deterioration (PSD) permits, local economies can avoid being stalled or slowed down by having to start the permit process anew. Finally, the LGAC understands that recent Clean Air Act rules, such as rules to reduce pollution from power plants, clean diesel rules for vehicles, and rules to reduce pollution from stationary diesel engines, will help areas meet the proposed PM standards by dramatically cutting pollution both regionally and across the country. The combination of these rules creates a synergy whereby localities will be able to reduce pollution more efficiently and effectively than implementing piece-by-piece regulations. As a result, nearly all U.S. counties will meet the revised PM2.5 annual standard by 2020.

Improving air quality is a partnership between federal, state, and local governments and tribes. Local governments appreciate the opportunity to work with states and EPA in determining non-attainment areas. The implementation of any rule or guidance is most successful when done in a partnership with EPA and the localities, and this partnership appears to be a goal for the Agency and the PM plan. The LGAC looks forward to continued involvement and input as EPA considers revisions to the NAAQS for PM.

Sincerely,



Mayor Heather McTeer
Chair, LGAC



Supervisor Salud Carbajal
Chair, Air, Climate & Energy Workgroup



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

NOV 16 2012

OFFICE OF
AIR AND RADIATION

The Honorable Heather McTeer
Mayor and
Chairwoman, Local Government Advisory Committee
P.O. Box 1835
Greenville, Mississippi 38702

Dear Mayor McTeer-Hudson:

Thank you for your letter of July 31, 2012, co-signed by one of your colleagues, which provides comments from the Local Government Advisory Committee on the EPA's *Draft Guidance to Implement Requirements for the Treatment of Air Quality Monitoring Data Influenced by Exceptional Events*. I appreciate your review of the original guidance documents released on May 2, 2011, and the most recent revised, draft guidance documents released for public comment via a Notice of Availability in the *Federal Register* on July 6, 2012.

The public comment period on the draft exceptional events guidance documents ended on September 4, 2012, and we are currently compiling comments and revising the documents. We will consider your comments during our review and revision process. At the conclusion of this process, we will determine whether to issue final guidance and/or make a decision on whether to proceed with rule amendments. As we indicated in the draft guidance documents and as you encouraged in your letter, we intend to move forward with the development of fire-related exceptional event guidance, beginning with guidance to address wildfire influences on ozone concentrations. We will keep you and your committee members involved in the development of the guidance and/or rule as we proceed. I recognize the importance of this issue for local governments and appreciate the Committee's thoughtful input.

Again, thank you for your letter. We look forward to working with you as we finalize the Exceptional Events Rule guidance documents and/or any associated rule amendments.

Sincerely,

A handwritten signature in black ink, appearing to read "Gina McCarthy", is positioned above the typed name.

Gina McCarthy
Assistant Administrator